

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

DANIEL D'AMBL Y,
Plaintiff,

vs.

CHRISTIAN EXOO a/k/a ANTIFASH
GORDON; ST. LAWRENCE UNIVERSITY;
TRIBUNE PUBLISHING COMPANY; NEW
YORK DAILY NEWS; VIJAYA GADDE;
TWITTER, INC; COHEN, WEISS AND
SIMON, LLP;

Defendants.

CIVIL ACTION NO.: 2:20-cv-12880-
JMV-JAD

Hon. John M. Vazquez, U.S.D.J.
Oral Argument Requested

DECLARATION OF CHRISTOPHER MARLBOROUGH

CHRISTOPHER MARLBOROUGH, an attorney admitted to practice in the State of New Jersey and the United States District Court for the District of New Jersey, hereby affirms under penalty of perjury that:

1. I am the Principal Attorney of the Marlborough Law Firm, P.C. I represent Defendant Christian Exoo in the above referenced action.
2. I have personal knowledge of the matters stated herein and, if called upon I could and would competently testify thereto.
3. I submit this declaration regarding the attached exhibits.
4. Attached as Exhibit A is a true and correct copy of the 2019 Terrorism Threat Assessment Report of the New Jersey Office of Home Security and Preparedness. The government report is publicly available and may be found at the following internet website: https://www.njhomelandsecurity.gov/s/ThreatAssessment-Booklet-2019_Final.pdf. This government report is judicially noticeable in accordance with

Fellner v. Tri-Union Seafoods, L.L.C., Civil Action No. 06-CV-0688 (DMC), 2010 U.S. Dist. LEXIS 36195, at *19 n.8 (D.N.J. Apr. 13, 2010) (taking judicial notice of publicly available governmental reports). *See also In re Wellbutrin SR/Zyban Antitrust Litigation*, 281 F. Supp.2d 751, 754 (E.D.Pa. 2003) (taking judicial notice of FDA report posted on the official FDA website).

5. Attached as Exhibit B is a true and correct copy of the 2020 Terrorism Threat Assessment Report of the New Jersey Office of Home Security and Preparedness. This government report is publicly available and may be found at the following internet website: <https://www.njhomelandsecurity.gov/s/2020-Terrorism-Threat-Assessment.pdf>. This government report is judicially noticeable in accordance with *Fellner v. Tri-Union Seafoods, L.L.C.*, Civil Action No. 06-CV-0688 (DMC), 2010 U.S. Dist. LEXIS 36195, at *19 n.8 (D.N.J. Apr. 13, 2010). *See also In re Wellbutrin SR/Zyban Antitrust Litigation*, 281 F. Supp.2d 751, 754 (E.D.Pa. 2003).

6. Attached as Exhibit C is a true and correct copy of the 2018 Twitter.com tweets from Defendant Exoo referenced in the Complaint. Exhibit C is incorporated into the Complaint by reference. *See* Complaint at ¶¶ 15, 24-25.

7. Attached as Exhibit D is a true and correct copy of the 2019 Twitter.com tweets from Defendant Exoo referenced in the Complaint. Exhibit D is incorporated into the Complaint by reference. *See* Complaint at ¶¶ 15, 28-29, 31, 38, 41.

8. Annexed as Exhibit E is the United States District Court for the District of New Jersey. [Model] RICO Case Order, Exhibit O to the District Court's Local Rules.

I declare under penalty of perjury under the laws of the District of New York that the facts set forth above are true and correct.

Executed this 6th day of December 2020, at Lynbrook, New York.

A handwritten signature in black ink, appearing to read "Christopher Marlborough". The signature is written in a cursive, flowing style with some capitalization and a large, sweeping flourish at the end.

Christopher Marlborough